

Remarks

The Examiner objected to the amendment to the specification offered in the Amendment filed January 22, 2007 on the ground that a portion of the amended text was not underlined. The amendment has been resubmitted in the format suggested by the Examiner.

The Examiner objected to the usage of “a wellbore” and “the wellbore” in claim 47, and objected to dependent claims 59-65, 67 and 69-71 by virtue of their dependency from claim 47. In response, claim 47 has been amended as suggested by the Examiner.

The Examiner rejected claims 47 and 59 as anticipated by U.S. Patent No. 5,417,285, issued to Van Buskirk et al., but indicated that claims 60-65, 67 and 69-71 would be allowable if rewritten to include the limitations of their respective base claims. Claim 47 has accordingly been rewritten to include all of the limitations of claim 62, and claims 63 and 62 have been cancelled. Claims 63-65, 67 and 69, all of which previously depended from claim 62, have been amended to depend from claim 47. Because claim 47 is now allowable, and became the remaining rejected claims now depend directly or indirectly from claim 47, it is believed that all of the rejected claims are now allowable.

Withdrawn claims 66 and 68, which previously depended from cancelled claim 62, have been amended to depend from claim 47. Because these claims depend from a claim incorporating allowable subject matter, they should be returned to the case and allowed.

During preparation of this Amendment, it was noted that claim 61 references a “composition,” while claim 47, from which it depends, makes no reference to such a composition. To provide the necessary antecedent basis, claim 61 has been amended to replace “composition” with “plug.”

New independent claim 72 includes all of the limitations of claim 60, as it existed prior to this Amendment. Inasmuch as the Examiner found that claim 60 incorporates allowable subject matter, it is submitted that new claim 72 is allowable.

New independent claim 73 includes all of the limitations of claim 61, as it existed prior to this Amendment. Inasmuch as the Examiner found that claim 61 incorporates allowable subject matter, it is submitted that new claim 72 is allowable.

New independent claim 74 is similar in scope to claim 47 prior to the instant Amendment, but adds the limitation that the plug comprises a polymer. This limitation contrasts with Van Buskirk, which discloses a plug formed from sand and bentonite, which are non-polymeric. See Van Buskirk, col. 4, lines 55-56 and col. 6, lines 32-34.

In the event that the Examiner has any questions or comments concerning the application or this Amendment, the undersigned would welcome the opportunity to discuss the case with the Examiner.

This is intended to be a complete response to the Examiner's Action mailed May 3, 2007.

Respectfully submitted,

s/ Gary Peterson/
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